




IN THE 13TH JUDICIAL CIRCUIT, BOONE COUNTY, MISSOURI

Judge or Division: JODIE C ASE	Case Number: 19BA-CV05121
Plaintiff/Petitioner: RODNEY RIDGWAY	Plaintiff's/Petitioner's Attorney/Address ANDREW LAWRENCE VEATCH 903 E ASH STREET COLUMBIA, MO 65201
Defendant/Respondent: HOME DEPOT U.S.A INC/CSC	Court Address: 705 E Walnut COLUMBIA, MO 65201
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **HOME DEPOT U.S.A., INC.**
Alias:

%CSC LAWYERS INC SERVICE
221 BOLIVAR STREET
JEFFERSON CITY, MO 65101
COURT SEAL OF


BOONE COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

12/17/2019 Date /s/ M. Stephens Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).

☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____ (_____ miles @ \$ _____ per mile)

Mileage \$ _____

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI

RODNEY RIDGWAY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. _____
)	
HOME DEPOT U.S.A., INC.,)	
Serve:)	
CSC Lawyers Incorporating Service)	JURY TRIAL DEMANDED
221 Bolivar Street)	
Jefferson City, Missouri 65101)	
)	
Defendant.)	

PETITION

COMES NOW Rodney Ridgway (hereinafter "Ridgway"), by and through counsel, Andrew L. Veatch, and for his cause of action against Home Depot U.S.A., Inc. (hereinafter "Home Depot"), states as follows:

GENERAL ALLEGATIONS

1. Plaintiff Rodney Ridgway (hereinafter, "Plaintiff" or "Ridgway"), an individual, is a Monroe County resident.
2. Defendant Home Depot U.S.A., Inc., (hereinafter, "Home Depot"), a foreign corporation, registered in the state of Missouri, regularly conducts business in Boone County, Missouri, owning, operating, a store in Boone County, Missouri, and can be served on its registered agent CSC Lawyers Incorporating Service, 221 Bolivar Street, Jefferson City, Missouri 65101.

3. All acts and occurrences referred to herein occurred in Boone County, State of Missouri.

4. Venue is proper in Boone County, Missouri pursuant to Mo. Rev. Stat. 508.010.

5. On or about December, 4, 2017, Plaintiff Ridgway was visiting The Home Depot store in Columbia, Missouri, owned and operated by Defendant Home Depot.

6. On said date, The Home Depot had on display in its parking lot several portable sheds that were being sold by Defendant Home Depot.

7. On said date, Plaintiff was looking at the sheds on display in the Home Depot parking lot when he entered a two-story shed.

8. The ground level of the shed contained no artificial sources of light.

9. On said date, after viewing the ground floor of the two-story shed, Plaintiff walked up the stairs to view the second floor of the shed, and those stairs contained no artificial sources of light.

10. The second floor of the shed contained windows allowing natural light into the second floor, but no artificial sources of light.

11. On said date, after viewing the second floor of the shed, Plaintiff attempted to walk back down the shed's internal stairs, but missed a step and fell as he was going down the stairs.

12. There was no interior lighting installed in the shed on the date of the accident.

13. On the date of this accident, there were no warnings posted inside or outside the shed regarding the lack of lighting inside the shed or the stairs within the shed.

14. On the date of this accident, there were no markings, painting, or other warnings on the internal stairs in the shed to alert customers where each stair ended.

15. On the date of this accident, customers were free to enter the shed at any hour of the day, without being accompanied or assisted by an employee of Defendant Home Depot.

16. As a result of the conditions described herein and Plaintiff's fall caused by those conditions, Plaintiff has sustained severe and permanent injuries.

17. On said date, the shed and the parking lot referenced herein were in the possession and control of Defendant Home Depot.

18. The parking lot and the shed were, and continue to be, regularly used by customers and agents of Defendant Home Depot with Defendant Home Depot's consent.

19. Defendant Home Depot consistently engaged in a pattern, practice and course of conduct in which Defendant Home Depot would inspect and maintain the parking lot and the shed.

20. On December 4, 2017, Defendant Home Depot knew, or through the exercise of ordinary care could have known, of the condition of the shed, including those attributes referenced herein.

21. Defendant Home Depot failed to use ordinary care to make the shed reasonably safe to customers of The Home Depot, including Plaintiff.

22. On said date, Defendant Home Depot's failure to use ordinary care to make the shed reasonably safe caused Plaintiff's injuries.

23. Defendant Home Depot's actions or inactions as set forth above, constitute negligence in that Defendant Home Depot failed to use an ordinary degree of care in one or more of the following respects:

- a. Defendant Home Depot failed to recognize the dangerousness of the attributes of the shed referenced herein;
- b. Defendant Home Depot recognized the danger posed by the unlit and unmarked stairs within the shed but failed to take the necessary actions to rectify, fix, or otherwise remedy those conditions to where the shed was reasonably safe;
- c. Defendant Home Depot failed to maintain the shed in a reasonably safe manner;
- d. Defendant Home Depot failed to warn Plaintiff and other customers of the unlit and unmarked stairs in the shed;
- e. Defendant Home Depot failed to properly light the shed or provide a source of lighting to customers;
- f. Defendant Home Depot failed to prevent Plaintiff from traveling up and down stairs in the shed despite the lack of light within the shed;
- g. Defendant Home Depot failed to take any action that might have reduced the probability that someone would injure themselves as a result of the unlit and unmarked stairs in the shed;
- h. Defendant Home Depot failed to mark the stairs in the shed in a manner that would alert customers to where one stair ended and the next began;

i. Defendant Home Depot failed to lock the shed, or to otherwise prevent customers from entering the shed and traversing the stairs within without the assistance of a Home Depot employee; and

j. Defendant Home Depot failed to lock the shed, prevent entry to the shed, or provide a source of light within the shed during hours when there would be minimal or no daylight entering the shed through its windows.

24. As a direct and proximate result of Defendant Home Depot's negligence as set forth above, Plaintiff sustained serious and significant injuries to his right lower extremity and right shoulder, which are severe and permanent in nature.

25. As a direct and proximate result of the injury set forth above, Plaintiff has incurred medical, surgical, therapeutic, rehabilitative, prescription and other expenses excess of One Hundred Twenty Thousand Six Hundred Fourteen Dollars and Ninety-Nine Cents (\$120,614.99).

26. As a direct and proximate result of the injury set forth above, Plaintiff has experienced, and will continue to experience, pain, suffering, and mental anguish and distress.

27. As a direct and proximate result of the injury set forth above, Plaintiff was unable to perform his job and lost wages, and will lose wages into the future, in an amount that will be proved with reasonable certainty at trial.

WHEREFORE, Plaintiff Rodney Ridgway prays for judgment against Defendant Home Depot, in an amount determined fair and reasonable by a jury, for his costs incurred herein, and for such other and further relief the Court may deem just and proper.

Respectfully submitted,

Eng & Woods,

/s/ Andrew L. Veatch

Andrew L. Veatch, 62500

Eng & Woods

903 East Ash Street

Columbia, Missouri 65201

T. 573-874-4190

F. 573-874-4192

Dveatch@engandwoods.com

Attorneys for Plaintiff



Notice of Service of Process

Transmittal Number: 20873882
Date Processed: 12/23/2019

Primary Contact: Quinessa Malcolm
The Home Depot, Inc.
2455 Paces Ferry Rd SE
Atlanta, GA 30339-1834

Entity:	Home Depot U.S.A., Inc. Entity ID Number 2483807
Entity Served:	Home Depot U.S.A., Inc.
Title of Action:	Rodney Ridgway vs. Home Depot U.S.A., Inc.
Matter Name/ID:	Rodney Ridgway vs. Home Depot U.S.A., Inc. (9875088)
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court/Agency:	Boone County Circuit Court, MO
Case/Reference No:	19BA-CV05121
Jurisdiction Served:	Missouri
Date Served on CSC:	12/20/2019
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Andrew L. Veatch 573-874-4190

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To avoid potential delay, please do not send your response to CSC

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Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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RIDGWAY , RODNEY , Plaintiff

represented by

VEATCH , ANDREW LAWRENCE , Attorney for Plaintiff100 S FRANKLIN
MADISON, MO 65263903 E ASH STREET
COLUMBIA, MO 65201
Business: (573) 874-4190**Year of Birth:** 1960**HOME DEPOT U.S.A INC/CSC ,
Defendant**%CSC LAWYERS INC
221 BOLIVAR
JEFFERSON CITY, MO 65101

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Display Options:

01/06/2020	Corporation Served Document ID - 19-SMCC-1367; Served To - HOME DEPOT U.S.A INC/CSC; Server - SO SHERIFF OF COLE COUNTY-JEFFERSON CITY; Served Date - 20-DEC-19; Served Time - 08:00:00; Service Type - Sheriff Department; Reason Description - Served (ms)
12/17/2019	Summons Issued-Circuit Document ID: 19-SMCC-1367, for HOME DEPOT U.S.A INC/CSC. Attorneys are to print two copies of summons and issue for service. (ms)
12/16/2019	Confid Filing Info Sheet Filed (ms) Filed By: ANDREW LAWRENCE VEATCH Pet Filed in Circuit Ct Petition. (ms) On Behalf Of: RODNEY RIDGWAY Judge Assigned

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Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Displaying 1 thru 1 of 1 service records returned for case 19BA-CV05121.

Issuance

Issued To: HOME DEPOT U.S.A
INC/CSC

Date Issued: 12/17/2019

Document Summons Civil Case-To Dft-
Issued: Res

Due Date: 01/16/2020

Document ID: 19-SMCC-1367

Return

Type Of Service: Corporation Served

Service/Attempt 12/20/2019
Date:

Served To: HOME DEPOT U.S.A
INC/CSC
%CSC LAWYERS INC
221 BOLIVAR
JEFFERSON CITY , MO
65101

Service Agent: SO SHERIFF OF COLE
COUNTY-JEFFERSON CITY

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